

Hafner, Janell M (LAW)

From: Bakalar, Elizabeth M (LAW)
Sent: Tuesday, July 18, 2017 9:04 AM
To: Hafner, Janell M (LAW); Vandor, Marjorie L (LAW); Sniffen, Clyde E (LAW); Pollard, Susan R (LAW); Grace, Joanne M (LAW); Paton-Walsh, Margaret A (LAW); Birnbaum, Alan J (LAW); Mills, Cori M (LAW)
Cc: Bookless, Alex K (LAW); Carter, Richard J (LAW)
Subject: Important Updates About Matters While I am Out of the Office 7/19-8/7 and 8/10-8/14 (Please Read)

Importance: High

Good Morning All,

Sorry for the long/intense email, but I am kind of OCD about work as you know, and I don't want any surprises while I am out, especially because I will not always have cell service where I'm going and some of this stuff is a pretty big deal to the clients and media.

I am out of the office **starting tomorrow, until August 7**. I will be back in the office **August 8 and 9**, and then out again until **August 15**. During that time, I will not always have cell service or email access. So it's about three weeks out, with two days dipping back in in the middle. I wanted to let folks know about some important issues that might pop up on my desk while I'm out, and what I think needs to be done and monitored to make sure nothing slips through the cracks.

1. **Trump Voter Commission Data Request:** This is a highly politically-charged request, with significant media interest, for voter data from the Trump administration. Alan Birnbaum and I had a response prepared, consistent with the Alaska Public Records Act, when the Commission itself suddenly asked states to hold off on submitting data pending the resolution of litigation over the request. So the request is being held in abeyance at the Commission's request, and Alaska has not yet provided any voter data to the Commission. The Commission might renew or modify its request while I am gone. **The Governor's Office (Scott Kendall)** and the **Lt. Governor** have an acute interest in how this request is handled and want a full briefing of the legal and political ramifications of our response or lack thereof. Alan is well-versed in this request and I think can largely fill in for me on this if it heats up while I am gone. The Attorney General should be kept in the loop on this.
2. **17FSH2 Ballot Measure:** This is a new fisheries ballot initiative filed in response to our letter to sponsors on 17FSHB that that measure made an unconstitutional appropriation by initiative. We now have until September 12 to determine if the new measure cures the issues in the previous bill. This is a complicated legal analysis. Joanne Grace has been critical in parsing the case law to determine what side of the line these bills fall on: permissible regulation or unconstitutional appropriation. I am hoping when Joanne gets back on July 24, she can look at the new bill to see what she thinks. There has been some media interest on this, and the LG's office has been referring press inquiries to LAW. Cori and I have discussed the approach if and when we are called on this, so Cori knows all the background on this and can pinch hit if she is available. The Attorney General might have interest in this as well. She is aware of the new application.
3. **Two Supreme Court Appeals:** I am randomly handling two Supreme Court appeals right now:
 - **E.V. v. OCS:** This is a CINA appeal of a disposition order currently scheduled for oral argument on August 24. However, the parties on Mom's motion are asking the Court to postpone OA, because kiddo is moving toward re-unification with Mom. I need Alex and/or an Appeals LOA to keep eyes peeled for a

motion to postpone oral argument from Mom and any response from the court and for any new dates to be entered in ProLaw and my calendar.

- **Patterson v. Walker et al.:** This is a pro se prisoner appeal of the superior court's dismissal of his action seeking invalidation of a child porn statute and punitive damages (super gross). Our brief is technically due on **July 31**, but I asked for my first routine extension of time until **August 31** by which to file my brief. I do not see a record of this on CourtView yet, and I need Alex and/or an appeals LOA to check and make sure that the motion gets logged and hopefully granted. I am going to stress out beyond belief if I think I have a Supreme Court brief due in the middle of my vacation.

4. **Summer Intern Jonathan Schrirmer:** Our Juneau summer intern who I have been supervising has his last day on **Friday, July 21**. I think he is basically self-sufficient and I am meeting with him today to make sure his last few days here go smoothly. In case he has any questions or concerns I am hoping he can approach Margie or Janell with those.

Thanks Everyone!

Libby

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